

## Labeling Situations That Can Not Have A Temporary Approval

- A. When the following ingredients are in the product, but not declared in the ingredients statement:

Ingredients that are know allergens, e.g.,

Cereals containing gluten: e.g., wheat, rye, barley, oats, spelt or their hybridized strains

Crustacea

Eggs and egg products

Fish and fish products

Milk and milk products (including lactose)

Peanuts

Soybeans

Tree nuts

Other proteinaceous ingredients, kind of poultry or species of meat

Salt

Monosodium glutamate

Restricted ingredients as listed in 9 *CFR* 424.21 (c), e.g., *sodium nitrite*

- B. When sulfiting agents are not declared on the label but greater than 10 parts per million (ppm) in individual products.

When sulfiting agents are not declared on the label of a secondary product, e.g., “breaded chicken patty with mashed potatoes,” and sulfiting agents are less than 10 ppm in the total product but where a separable component contains 10 ppm or more.

- C. When the ingredients statement does not adequately represent the product because of drastic formula changes.

- D. When a standard is not met.

Examples:

“Breaded veal patty” contains more than 30% breading

70/30 rule not met

## Byproducts in Kielbasa

E. When cooking instructions are not adequate to render the product safe. (For example: ground beef label states, “cooked to 150° F for medium rare”).

F. Label missing one or more mandatory features.

1. Product name
2. Ingredients statement (if applicable)
3. Handling instructions
4. Safe handling instructions (if applicable)
5. Signature line
6. Net weight statement (if applicable)
7. Nutrition facts (if applicable)
8. Inspection legend including establishment number

G. When certain errors exist on labeling affecting nutrition facts, nutrition claims or nutrient claims.

Examples:

Nutrition facts does not support claim

Serving size is incorrect

Nutrition values are over or under by more then 20% of actual product

Unacceptable health/nutrition claim

Nutrition claim or nutrient content claim on label but nutrition facts missing

H. Failure to sublist composite ingredient (enriched flour, soy sauce, etc.).

I. Misuse of the term “fresh” on poultry

J. When mechanically separated poultry is in a product, but not properly declared in the ingredients statement i.e., the phrase “mechanically separated” is missing from the poultry ingredient.